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**Examiner:** Cheryl L. Miller

**Group:** 3738

**Date:** July 18, 2007

**Client Code:** 2814

**Facsimile No.:** 571-273-8300

**From:** James M. Smith  
Registration No. 28,043

**Subject:** Amendment Fee Transmittal, Amendment, Supplemental  
Information Disclosure Statement and Listing of References

**Docket No.:** 2814.2008-001

**Applicant:** Andy H. Levine *et al.*

**Application No.:** 10/811,293

**Filing Date:** March 26, 2004

Number of pages including this cover sheet: 21

Please confirm receipt of facsimile: Yes ☒ No ☐

**Comments:**

739735\_1

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JMS/SB/atc  
July 16, 2007

PATENT APPLICATION  
DOCKET NO. 2814.2008-001

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Andy H. Levine, John F. Cvinar and John C. Meade

Application No.: 10/811,293

Group: 3738

Filed: March 26, 2004

Examiner: Cheryl L. Miller

Confirmation No.: 8260

For: ANTI-OBESITY DEVICES

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| 7-18-07   | <i>Amy Corneau</i> |
| Date  | Signature          |
| <i>Amy Corneau</i>  |                    |
| Typed or printed name of person signing certificate   |                    |

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Transmitted herewith is an Amendment for filing in the above-identified application.

- ☐ Small entity status of this application under 37 CFR 1.9 and 1.27 has been established by a Small Entity Statement previously submitted.
- ☐ A Small Entity Statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

10/811,293

-2-

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The claims fee has been calculated as shown below:

|  |                                  |       |                                 |               | SMALL ENTITY |            | OTHER THAN SMALL ENTITY |              |            |
|--|----------------------------------|-------|---------------------------------|---------------|--------------|------------|-------------------------|--------------|------------|
|  | CLAIMS REMAINING AFTER AMENDMENT |       | HIGHEST NO. PREVIOUSLY PAID FOR | PRESENT EXTRA | RATE         | ADDIT. FEE | OR                      | RATE         | ADDIT. FEE |
| TOTAL  | 49                               | MINUS | * 49                            | 0             | X \$25       | \$         |                         | X 50         | \$         |
| INDEP  | 9                                | MINUS | ** 9                            | 0             | X \$100      | \$         |                         | X \$200      | \$         |
| <input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM |                                  |       |                                 |               | +            | \$180      | \$                      | +            | \$360      |
|  |                                  |       |                                 |               | TOTAL = \$ 0 |            |                         | TOTAL = \$ 0 |            |

\* not fewer than 20  
\*\* not fewer than 3

The Application Size Fee has been calculated as shown below:  
(Effective for cases filed on or after December 8, 2004)

| Actual Sheets (including current amendment) | Highest No. of Sheets Paid For (At least 100) | No. of Additional Units Required (Increments of 50 sheets) | SMALL ENTITY |                   | OTHER THAN SMALL ENTITY |                   | Payment Sufficient for up to<br>[ ] Sheets |
|---|---|--|--------------|-------------------|-------------------------|-------------------|--|
|   |   |  | Rate         | Total Amount Owed | Rate                    | Total Amount Owed |  |
|   |   |  | X \$125      | \$[ ]             | X \$250                 | \$[ ]             |  |

## Petition for Extension of Time

- ☐ Applicant hereby petitions to extend the time to respond to the [ ] dated [ ] for [ ] month(s) from [ ] to [ ]. The appropriate fee is set forth below.
- ☐ [For action-specific language in an extension of time, select the appropriate option from the Firm Templates]

